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REMARKS**A. Claim amendments**

Claims 1-167 are pending in this application. Claim 1 has been amended. Support for the amendment can be found in the application as filed, for instance, original claim 1; Figures 1-3; and the specification, for instance, at page 22, lines 9-18; page 26, lines 8-12; page 39, lines 2-8; and page 42, line 1 to page 47, line 21. Accordingly, no new matter has been introduced into the application as a result of the present amendment.

**B. Restriction Requirement**

In the Office Action, the Examiner requested that the Applicants make an election among the inventions of Groups I and II. The Examiner further requested that the Applicant elect sequences for each of the target, capture and detecting sequences and to identify the claims encompassing the elected species. The Applicants provisionally elect the invention of Group I (claims 1, 3-5, 8-37 and 147-161) for prosecution purposes, with traverse. The Applicants further provisionally elect, with traverse, capture oligonucleotide Factor V mutant 5' CTGGACAGGCAAGGAATACAGGTATT-3' (SEQ ID NO:4); Detecting sequence Factor V probe 5' CCACAGAAAATGATGCCCAGTGCTTAACAAGACCATACTACAGTGA 3' (SEQ ID NO:9); and total genomic DNA as the target sequence. The species election is believed to read on claims 1-150, and 164-167. The Applicants note that the Examiner failed to include claims 162-167 in the restriction requirement and believe that these overlooked claims should be included with Group I claims.

Upon further review of this request, however, it is believed to be improper and withdrawal is requested. That is, according to M.P.E.P. 803, a restriction should never be required unless an examination of all the claims in a single application would be a serious

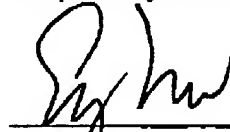
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burden on the Examiner. That is true even if the restriction is otherwise proper. Here, the searches involved for the subject matter of Group I (claims 1, 3-5, 8-37 and 147-161) and Group II (claims 2, 6, 7, 39, 43, 44, 75-110 and 147-149) have the same class 435 and subclass 6 and therefore the Applicants do not believe that a search of the same class/subclass for the claims of Groups I and II would be a serious burden to the Examiner. Moreover, the claims are related in that they are drawn to detection of single nucleotide polymorphisms (SNPs) which are DNA sequence variations that occur when a single nucleotide in a genomic sequence is altered (i.e. point mutations). Thus, the Applicants respectfully submit that the restriction is improper, that the restriction between the claims of Group I and II be withdrawn, and that claims 1-161 examined in this application.

Prompt consideration and entry of this amendment is respectfully requested. The Examiner is requested to contact the undersigned representative if the Examiner believes this would be helpful in expediting the prosecution of this application.

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Respectfully submitted,



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